10/593199

Attorney Docket No. 0702-000002/US/NP

IAPOVREC'E PSTRATO 18 SEP 200

### **PATENT**

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:

371 - US National Phase of PCT/JP2005/004964

Filing Date:

Concurrently herewith

Applicant:

Yoshiyuki KANZAKI et al

Group Art Unit:

not yet assigned

Examiner:

not yet assigned

Title:

**PISTON** 

Attorney Docket:

0702-000002/US/NP

Director of the United States Patent and Trademark Office P.O. Box 1450
Alexandria, VA 22313-1450

#### INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicant hereby submits an Information Disclosure Statement for consideration by the Examiner.

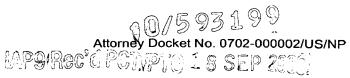
## I. <u>LIST OF PATENTS, PUBLICATIONS, AND OTHER INFORMATION</u>

The patents, publications and other information requested to be considered by the Office (except unpublished U.S. patent applications) are listed on Form 1449 attached hereto.

#### II. COPIES

A. Submitted herewith is a legible copy of (i) each foreign patent; (ii) each publication or that portion which caused it to be listed, other than U.S. patents and U.S. patent application publications unless required by the Office; (iii) each unpublished U.S. application listed below in Section IV (i.e., including the specification, claims, and any drawing of the application, or that portion of the application which caused it to be listed, including any claims directed to that portion), except for such applications filed on or after June 30, 2003, pursuant to the Waiver of the Copy Requirement in 37 C.F.R. 1.98 (OG Notice dated October 19, 2004); and (iv) all other information or that portion which caused it to be listed.

B. Any patents, publications or other information which are listed on Form 1449 or on the copies of PTO-892, but which are not enclosed herewith, were previously cited by or submitted to the PTO in one of the following



applications which has been relied upon for an earlier filing date under 35 U.S.C. § 120:

#### U.S. Serial Number

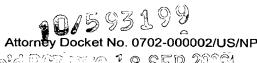
U.S. Filing Date

C. This is a PCT application in the entry of the National Phase in the United States. A copy of the International Search Report is attached for the Examiner's information. The documents listed on the International Search report are listed on the attached Form 1449 for consideration by the Examiner and for listing on any patent resulting from this application. If the International Search report was from the US, EPO, or JPO search authorities, copies of these references should have been supplied to the USPTO under the trilateral agreement and are believed to be in the file of the above-identified application. (MPEP 1893.03(g).)

## III. CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)

- A.  $\boxtimes$  Except as may be indicated below in (B), all of the patents, publications or other information are in the English language (concise explanation not required).
- B. A concise explanation of the relevance of each patent, publication or other information listed that is not in the English language is as follows (see 37 C.F.R. § 1.98(a)(3)):
  - 1. See the attached foreign patent office communication from a counterpart foreign application:
    International Search Report for PCT/JP2005/004964.
  - 2. English translations are provided: As noted in the attached form HDP-1449.
  - 3. Other:
- $\mathsf{C}.\ \, \boxtimes \, \mathsf{The}$  following additional information is provided for the Examiner's consideration.

JP09-210088, JP11-351273 and JP 09-257058 are discussed in the background art section of the specification.



IV.	CROSS REFERENCE TO		TONY A SEP CULT					
	CROSS REFERENCE TO RELATED APPLICATION(S)  A.  The Examiner is advised that the following co-pending application(s) contain(s) subject matter that may be related to the present application. By bringing this(these) application(s) to the Examiner's attention, Applicant(s) does (do) not waive the confidentiality provisions of 35 U.S.C. § 122.							
	Serial No.	Filing Date	Inventor(s)					
V.	THIS IDS IS BEING FILED							
	A. 🗵 37 C.F.R. § 1.97(b):	A. X 37 C.F.R. § 1.97(b): (check only one box)						
	other than a conti	1.  within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d) (37 C.F.R. § 1.97(b)(1)). No fee or certification is required.						
	2.  within three months of the date of entry of the national stage as set forth in § 1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or certification is required.							
	§ 1.97(b)(3)). No fe Office Action on the under 37 C.F.R. § 1.97(e) below; or, if	ee or certification is e merits has been i 1.97(c) and see the no certification has	e Action on the merits (37 C.F.R. required. In the event that a first ssued, please consider this IDS e certification under 37 C.F.R. § been made, charge our deposit .00 as required by 37 C.F.R. §					
	4. Defore the management of th	ed examination und	fice Action after the filing of a er 37 C.F.R. § 1.114. No fee or					
	B. 37 C.F.R. § 1.97(c):	(check <u>only</u> one bo	×)					
		f Allowance under	nal Office Action under 37 C.F.R. 37 C.F.R. § 1.311, or an action					
	<ol> <li>No certification</li> <li>required by 37 C.F.I</li> </ol>		e in the amount of \$180.00 is					
	2. See the certification	cation below. No fe	e is required.					

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Attorney Docket No. 0702-000002/US/NP

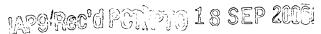
	AP9/RCC © PCNTC 18 SEP 2000 C. □ 37 C.F.R. § 1.97(d):
	after the mailing date of either a Final Office Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, yet on or before payment of the issue fee.
	1.  See the certification below. A fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).
VI.	CERTIFICATION UNDER 37 C.F.R. § 1.97(e): (check only one box)
	The undersigned hereby certifies that:
	A.  each item of information contained in this IDS was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(1)). See further statement under 37 C.F.R. 1.704(d) below in section VII, if applicable; or
	B.  no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(2)).
	C. some of the items of information were first cited in a communication from a foreign patent office. As to this information, the undersigned hereby certifies that each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS.
VII.	STATEMENT UNDER 37 C.F.R. 1.704(d)
	The undersigned hereby states that:
VIII.	each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this IDS. PAYMENT OF FEES (check only one box, if applicable)

A.  $\square$  A check in the amount of \$180.00 is enclosed for the above-identified fee.

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#### Attorney Docket No. 0702-000002/US/NP



Respectfully, submitted,

Jason A Heist Reg. No. 51,797

B. Please charge Deposit Account No. 08-0750 in the amount of \$180.00 for the above-identified fee. A duplicate copy of this paper is attached.

Please charge any additional fees or credit any overpayment pursuant to 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 08-0750.

The above references are being cited only in the interest of candor and without any admission that they constitute statutory prior art, contain matter which anticipates the invention, or which would render the same obvious, either singly or in combination, to a person of ordinary skill in the art. Furthermore, this Information Disclosure Statement shall not be construed as a representation that a search has been made.

If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 08-0750.

Bv:

Dated: September 18, 2006

Harness, Dickey & Pierce, P.L.C. P.O. Box 828 Bloomfield Hills, Michigan 48303 (248) 641-1600

PER/dl

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#### FORM HDP-1449 (Based on Form PTO-1449)

# PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

Sheet 1 of 2 1 of 1, not 2

ATTORNEY DOCKET No.	SERIAL NO.	
0702-000002/US/NP		
APPLICANT		
Yoshiyuki KANZAKI et a	al.	
FILING DATE	GROUP	

U.S. PATENT DOCUMENTS						
Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
1.		2004/0035666 A1	02-26-2004	Grosspietsch et al.		
2.		2003/0168306 A1	09-11-2003	Gorman et al.		
3.		3,848,518 A	11-19-1974	Martin		
4.		3,914,849 A	10-28-1975	Martin		
5.		6,039,160 A	05-21-2000	Joppeck		

FOREIGN PATENT DOCUMENTS							
Ref. Desig.	Examiner's Initials	Document Number	Date	Country	Class/ Subclass	Translation Yes	on No
6.		2003-42185	02-13-2003	JP	1000000000	Abs.	
7.		1339995 A1	09-03-2003	EP		Abs.	
8.		2002/046632 A1	06-13-2002	WIPO		Abs.	
9.		2003-329143 A	11-19-2003	JP		Abs.	
10.		10309601 A1	10-02-2003	DE		Abs.	
11.		56-27738 B2	06-26-1981	JP	8	Abs.	X
12.		2340760 A1	3-21-1974	DE	Bassass	Abs.	
13.		2199832 A1	04-12-1974	FR		Abs.	
14.		1391377 A	04-23-1975	GB		N/A	
15.		2005-90568	04-07-2005	JP		Abs.	
16.		09-210088	08-12-1997	JP	and the same of th	Abs.	
17.		11-351273	12-24-1999	JP	Booseast	Abs.	
18.		09-257058	09-30-1997	JP		Abs.	

Examiner:	/F. Daniel Lopez/	Date Considered:	05/20/2009	